

1 STEVEN G. KALAR  
2 Federal Public Defender  
2 VARELL L. FULLER  
3 Assistant Federal Public Defender  
3 160 West Santa Clara Street, Suite 575  
3 San Jose, CA 95113  
4 Telephone: (408) 291-7753

5 Counsel for Defendant RUELAS

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

11 UNITED STATES OF AMERICA, ) Nos. CR 11- 00558 - LHK  
12 Plaintiff, ) CR 11- 00559 - LHK  
13 ) CR 11- 00560 - LHK  
14 vs. ) CR 11- 00706 - LHK  
15 MICHAEL RUELAS and ) JOINT STIPULATION AND REQUEST TO  
16 LORENZO ISRAEL GARCIA, ) CONTINUE SENTENCING HEARING  
17 ) DATE TO FEBRUARY 13, 2013; AND  
18 ) ~~PROPOSED~~ ORDER  
19 Defendant. )

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**STIPULATION**

20 Defendant Michael Ruelas, by and through Assistant Federal Public Defender Varell L.  
21 Fuller; Lorenzo Israel Garcia, by and through Counsel Jack Gordon; and the United States, by  
22 and through Assistant United States Attorney Thomas M. O'Connell, hereby stipulate and agree,  
23 subject to the Court's approval, that the sentencing hearing presently set for Wednesday,  
24 December 13, 2012, at 9:00 a.m., be continued to Wednesday, February 13, 2013, at 9:00 a.m.

25 Defendants Michael Ruelas and Lorenzo Israel Garcia have pled guilty and a sentencing  
26 hearing is presently set for December 13, 2012, as to both defendants. The parties respectfully  
ask that the sentencing hearing date be continued to help facilitate the completion of the

1 presentence report investigation and to permit the parties additional time necessary to prepare for  
2 the sentencing hearing. United States Probation Officer Benjamin Flores, who has been assigned  
3 to conduct the presentence investigation, has been consulted about the requested continuance and  
4 has no objection. The parties further agree that the deadlines by which the United States  
5 Probation Office must disclose the draft and final pre-sentence reports shall be adjusted  
6 according to the new February 12, 2013, sentencing date.

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8 Dated: November 27, 2012

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/s/ \_\_\_\_\_  
10 VARELL L. FULLER  
Assistant Federal Public Defender  
Counsel for Michael Ruelas

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Dates: November 27, 2012

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/s/ \_\_\_\_\_  
JACK GORDON  
Counsel for Lorenzo Israel Garcia

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Dated November 27, 2012

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/s/ \_\_\_\_\_  
THOMAS M. O' CONNELL  
Assistant United States Attorney

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**[PROPOSED] ORDER**

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GOOD CAUSE APPEARING, and by stipulation of the parties, it is hereby ordered that

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the sentencing hearing date set for Wednesday, December 12, 2012, at 9:00 a.m. is continued to

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Wednesday, February 13, 2013, at 9:00 a.m., and the dates by which United States Probation

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must disclose the draft and final pre-sentence reports shall be adjusted accordingly.

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